## **Equality of Opportunity Committee**

EOC(3)03-07(p.2): 11 October 2007

# Accessibility of polling stations in Wales Submission by the Electoral Commission

- 1.1 The Electoral Commission is an independent body set up by the UK Parliament under the Political Parties, Elections and Referendums Act 2000 and aspects of its remit and work are relevant to the inquiry to be conducted by the Equality of Opportunity Committee into accessibility of polling stations.
- 1.2 The Commission provides guidance, briefing and support materials to Returning Officers for use in elections. These include materials to be used in local training of polling station staff. The Commission's training materials for the elections to the National Assembly, such as a Powerpoint presentation, covered issues concerned with accessibility. A key component of the Commission's products for the National Assembly for Wales elections was the Polling Station Handbook, which was available to order by Returning Officers. The polling station handbook included a section on equality issues, with advice on ensuring that voters with disabilities are not offered a lower standard of service, particularly blind or partially sighted, deaf blind and deaf voters and voters with mental health problems or learning disabilities. The handbook also gave advice on polling station layout, with a checklist providing for the needs of voters with a range of disabilities.
- 1.3 The Commission is required to publish reports on all major elections. The Commission's report on the National Assembly for Wales elections 2007 was published in mid-July and widely circulated in Wales. The Commission's report included a section on accessibility of polling stations. A copy of the section is extracted from the report and attached at Appendix 1.
- 1.4 The extract from the Commission's report explains that the Electoral Administration Act 2006 implements recommendations of the Commission on accessibility. Firstly, the Act introduced a number of measures to improve the accessibility of the electoral process. Secondly, it introduced a requirement that local authorities review their polling districts and the accessibility of polling places every four years, commencing with a review in the 12 months from 1 January 2007. The report explains that, in view of the fact that reviews of polling station accessibility would be conducted across all local authorities in Wales during 2007, the Commission did not undertake the type of review of polling station accessibility at the Assembly elections which it has commissioned in previous elections. The Commission's findings from its own representatives, who were present in just under half the constituencies at the May 2007 elections, are contained in the extract from the report.

- 1.5 After the May elections, the Commission issued guidance on conducting reviews of polling districts and polling places to Returning Officers and electoral administrators across Great Britain, to assist them in implementing the Electoral Administration Act 2006. The Commission's guidance is attached at Appendix 2.
- 1.6 In July, the Commission held three briefing seminars for electoral services managers and administrators in Wales, which were attended by between two and four representatives from 21 out of 22 local authorities. The briefings included a presentation and workshop session on conducting polling districts and polling places reviews, with the aim that local authorities share plans and good practice. A further series of three seminars is arranged for early December, which will include feed back sessions on the reviews, which need to be complete by 31 December 2007.
- 1.7 The Commission was given powers in the Electoral Administration Act 2006 to set performance standards for electoral administration in Great Britain and to monitor performance against those standards by Returning Officers and Electoral Registration Officers. As a first step, in early September, the Commission published performance indicators for electoral registration. The Commission will shortly be consulting on draft performance indicators for elections and referendums.
- 1.8 A key component of the Commission's vision for quality electoral services, which drives our performance standards work, is around user focus: 'an easy and accessible process for candidates and electors'. In particular, the Commission believes that electors can expect:
- A voting process that is easy to understand
- To have a choice of ways to vote
- To be able to vote in a way that suits their lifestyle and needs
- Information and advice which is accurate, prompt and easy to understand.
- 1.9 The Commission is not required by statute to report on local elections in Wales (or England) but did so in 2004 at the request of Welsh Assembly Government and proposes to report on the May 2008 elections. That report will include an assessment of polling station accessibility, by which time all local authorities in Wales will have reviewed their polling districts and polling places and implemented the outcomes.

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## **Accessibility**

- 7.18 Accessibility of polling stations has been a significant issue in Wales in previous elections. A survey undertaken by SCOPE Cwmpas Cymru, noted by the Commission in 2003,<sup>1</sup> found that many disabled people in Wales felt that insufficient improvement had been made at the local level in making polling stations and electoral processes accessible to them. At the Assembly elections in 2007, the available evidence suggests that there is a positive and gradual improvement in the number of accessible polling stations in Wales.
- 7.19 Following the Commission's recommendation, the EAA introduced a requirement that local authorities review their polling districts and the accessibility of polling places every four years, commencing with a review in the 12 months from 1 January 2007. In late summer 2007, the Commission will be issuing further guidance to electoral services managers to assist the conduct of their statutory reviews of polling districts and polling station accessibility. The Commission places a high importance on access to democracy for all.
- 7.20 The Act also introduced a number of measures to improve accessibility, including enabling electoral documents to be made available in Braille, languages other than English and Welsh, and in graphical, audio and other accessible formats.
- 7.21 In view of the fact that reviews of polling station accessibility will be conducted across all local authorities in Wales during 2007, we did not commission an independent review of polling station accessibility at the Assembly elections. However, Commission representatives who were observing in just under half the constituencies in Wales on polling day visited a representative sample of polling stations. Public opinion research for the Commission also illustrates the vote experience, as do the many enquiries and comments received by the Commission.
- 7.22 The findings of the Commission's election observers included many examples of good practice, well laid-out polling stations and helpful staff. Efforts have been made to improve access in communities where choice of public buildings is very limited, particularly in rural areas. Low-level polling booths and ballot boxes are much more the norm.
- 7.23 Nevertheless, there remains some way to go before all polling stations in Wales are fully accessible for wheelchair users; elderly people with impaired mobility and parents with children in buggies find a number of them a struggle. In some cases, including those seen by Commission representatives, simple measures such as those described in the Commission's polling station handbook could have improved matters. In others, mobile polling stations continue to be used where there is a paucity of suitable and accessible buildings. These cases are a minority in an otherwise positive and improving overall picture.

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<sup>&</sup>lt;sup>1</sup> The Electoral Commission, National Assembly for Wales elections 2003

## **Appendix 2**



Priority	Med
Event specific	No
Action required	No
Area	Great Britain
Retain	Until replaced

## Circular EC28/2007

# Reviews of polling districts, polling places and polling stations

26 June 2007

For the attention of:

## **The Electoral Registration Officer**

District, metropolitan borough and London borough authorities in England Unitary authorities in England and Wales Unitary authorities and joint boards in Scotland

### The Acting Returning Officer

Parliamentary constituencies in England and Wales

### The Returning Officer

Parliamentary constituencies in Scotland

### The Returning Officer

District, metropolitan borough and London borough authorities in England Unitary authorities in England, Scotland and Wales

#### For the information of:

#### The Chief Electoral Officer

Northern Ireland

## Introduction

- 1. The Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts and polling places to be reviewed by the end of 2007<sup>2</sup>.
- 2. The aim of this circular is to provide a guide to the relevant legislation and practical procedures involved in conducting a review of polling districts, polling places and polling stations.

## Definition of terms

- 3. **Parliamentary constituencies**: these cannot be changed by the review. The division of these constituencies into polling districts and places is the subject of the review.
- Polling district: the area created by the division of a constituency, ward or division into smaller parts, within which a polling place can be determined which is convenient to electors.
- 5. **Polling place**: the building or area in which polling stations will be selected by the Returning Officer.
- 6. Polling station: the room or building where the poll takes place. Chosen by the Returning Officer for the election and publicised on the Notice of Poll or the Notice of Situation of Polling Stations and communicated via poll card after the Notice of Election. The Returning Officer must make a formal comment as part of this review both into the existing polling stations used and the polling stations that would probably be used based on any newly recommended polling places.

## What is not being reviewed

- 7. The following are not covered by the review:
  - The boundaries of UK parliamentary constituencies. Authorities
    with impending parliamentary boundary changes must focus their
    review on the current arrangements and not the new boundaries which
    will, in due course, come into effect. Practically it might be reasonable
    to consider what any change to the parliamentary arrangements may
    require although the polling arrangements which would be required due
    to any future boundary changes are a different process
  - The borders and names of local authorities and electoral areas within local authorities<sup>3</sup>

<sup>&</sup>lt;sup>2</sup> Section 18C(1), Representation of the People Act 1983 (RPA 1983), as inserted by Section 16, EAA 2006

<sup>&</sup>lt;sup>3</sup> However the ability to rename parish, communities and wards may be introduced in the near future

- 8. Polling districts and places for local government elections are not automatically part of the review. RPA 1983 Sections 18A to 18E deal with parliamentary polling districts and places and require the 4 yearly review, whereas local government polling districts and places are covered by section 31 of the RPA 1983.
- 9. The Commission advises that reviews of parliamentary polling arrangements should always be conducted simultaneously with a review of local government arrangements. The polling districts and places for UK parliamentary and local government elections should always be the same.

## Aim of the review

- 10. Local authorities are required to divide their area into polling districts for the purposes of parliamentary elections and to designate polling places for these polling districts, and to keep these under review.
- 11. By conducting this statutory review of polling places, local authorities must demonstrate that they have, as far as is practicable, met the criteria set out in legislation<sup>4</sup>.
- 12. Relevant authorities must:
  - (a) seek to ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances
  - (b) seek to ensure that so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, including those who are disabled, and when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons<sup>5</sup>.
- 13. In an ideal world electoral administrators would have the choice of a range of fully accessible buildings, conveniently located for the electors in the area. In practice however this is not always the case and there may be little choice available. If it is necessary to use a place where the access is not ideal then every reasonable adjustment must be undertaken to provide access for all electors.
- 14. The key things to bear in mind when conducting this review is that all decisions made must be consulted upon, measured, and practical. The whole process should be as transparent and open as possible to avoid possible conflict.

## The review process

15. A review of polling districts and polling places must be conducted by the end of 2007 (and at least every 4 years after that).

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<sup>&</sup>lt;sup>4</sup> RPA 1983 Section 18C and Schedule A1

<sup>&</sup>lt;sup>5</sup> RPA 1983 Section 18B

16. The review is a function of the council and not the Electoral Registration Officer or Returning Officer, so funding should be made available from the council for the review.

The process requires:

## Preliminary stage

- 17. The first stage of the review process involves giving notice of the review<sup>6</sup>. The notice must be published using the following methods:
  - conspicuous poster given at least at the council office and within each parliamentary constituency
  - on the council website. We recommend at least a link on the website front page

#### 18. The notice should state:

- That the local authority is conducting a review of polling districts and polling places
- That the Returning Officer will make a comment on proposed polling stations
- That electors within the authority or within a parliamentary constituency which has any part in the authority may make a representation
- That the authority would welcome any person or body with expertise in access for persons with any type of disability to make a representation or to comment on the authorities proposals, the Returning Officer's representation or any other matter
- That persons or bodies making representations should, if possible, give alternative places that may be used as polling places
- The postal address, email address and website address at which documents can be inspected and representations made
- An indication of the timetable of the review and a deadline for representations
- 19. The authority should consider sending a copy of the notice to potentially interested parties such as councillors, disability groups and other stakeholders. It may be useful to include details of the review in any council newsletter and possibly a note in a local newspaper.
- 20. A set of reference documents should be gained from the various parts of the council to assist with the review. These documents should include:
  - A set of maps including small and large scale maps. The more detailed maps should show residential property boundaries to assist with the drawing of the boundaries of the polling districts
  - A report from the planning department detailing any proposed areas of new development and the approximate numbers of dwellings and expected population numbers for the areas within the authority
  - Any local authority or national statistics estimates for population change within the area, if possible referenced on numbers eligible or not through age and nationality

<sup>&</sup>lt;sup>6</sup> RPA 1983 Schedule A1 and The Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006

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- A list of current elector numbers broken down into wards and polling districts
- Any records on responses from polling station inspectors and polling station staff on the condition and accessibility of the currently used polling stations
- Any comments or complaints regarding the current arrangements from the public, elected members and other bodies
- Any list of public buildings, private and public buildings available for hire, etc.
- Up to date information gained from the existing and possible polling station venue operators as to continued availability (such as any expected renovation work or other future plans)
- Any general advice on access to buildings with regard to disabled persons available from national and local organisations
- The authority's current policy and statements on disability access

## The proposal stage

- 21. The authority must devise a proposal for the new polling district and polling place arrangements. There is no requirement to change any existing arrangements however any change or decision to make no change must be supported by a reason.
- 22. The Returning Officer for each parliamentary constituency either wholly or partly within the local authority area must be consulted<sup>7</sup>.
- 23. The Returning Officer must comment on all existing polling stations used at elections and any new polling stations which would probably be chosen if the new proposals were accepted by the authority.
- 24. The Returning Officer's report must focus on the suitability of the existing and proposed polling stations in relation to:
  - Access for all electors including those with any disability
  - Facilities for the required staff, tables, booths and notices

The attached appendix gives a guide to reporting on the suitability of a polling station

25. The location of the proposed polling districts and places are the responsibility of the local authority and the locations of the polling stations are the responsibility of the Returning Officer. Where possible the review process should be undertaken in a joint manner. Although this is clearly most convenient where the Returning Officer is an officer of the local authority conducting the review. The Commission recognises that there are often situations when they are different people, and in such instances it is recommended that regular meetings to draw up a common approach are undertaken.

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<sup>&</sup>lt;sup>7</sup> Schedule A1, Paragraph 2, RPA 1983

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- 26. When conducting the review the legislation suggests a top down approach starting with polling districts, followed by choosing places and then considering stations. However, the Commission recommends that good quality polling station sites are identified first and can then be used to build polling places and then districts around them.
- 27. It may be practicable to set up a sub-committee involving members of the council to work with the proposals before they reach the full council. Alternatively the proposals could be sent to the leadership of the different groups on the council and meetings arranged to discuss any issues. This should ensure the proper scrutiny of and confidence in the proposals in an efficient manner. Authorities may find it useful to have such a group involved throughout the review so that any possibly contentious decisions are managed throughout the process with no stakeholder believing there has been insufficient consultation or due process given to a decision.

## How to decide on polling districts and polling places

- 28. All electors must have reasonable facilities to be able to vote. The place for voting must be accessible for all electors including those with disabilities. The polling station should be easy to find on polling day and as close to electors as possible. There should not be major barriers between voters and their polling station. Major roads, rivers and the like could therefore be considered as starting points for polling district boundaries unless there is good quality, accessible crossing points.
- 29. Polling places should be within the polling district unless it is not possible to find a suitable place within the area.
- 30. Administrators should decide on the appropriate number of electors per polling station and place. If there appears to be a need in all or particular elections (considering, for example, UK Parliamentary elections may have a higher turnout than local government elections) for multiple polling stations in a polling place, it will need to be considered if the polling place can accommodate them. Consideration should be given to the numbers of electors who now vote by post as they will not be voting at the station itself although they may cancel their absent vote before the deadline or drop off their postal ballot pack on polling day.
- 31. The choice of polling place will often be a balance between the quality (access, facilities, etc.) of a building and the distances between the residents and that building compared to other options for polling places. There is no fixed rule on how to decide how this should be done. The legislation provides that all electors in a constituency should have such reasonable facilities for voting as are practicable in the circumstances. Administrators should show they followed a reasonable methodology in arriving at their choice.

- 32. In England each parish is to be a separate polling district and in Wales each community should be a separate polling district. This means that a parish or community must not be in a polling district which has a part of either a different parish or community or no parish or community at all. A good starting point would be to create each parish, ward in a warded parish, town council (or town council ward) or community including as one complete polling district. If this is too large to provide the ease of access that is required then they can then be split into smaller districts.
- 33. In Scotland each electoral ward<sup>9</sup> must be divided into two or more polling districts. However due to the increased size of such wards it is unlikely that they would not be split at least into two different polling districts.
- 34. When a parish, warded parish, town council or community is split or a Scottish electoral ward is not split the decision must be clearly reasoned in the review document for the council to consider.
- 35. The Commission is aware that some authorities designate the entire polling district as the polling place so that it is easier for polling stations to be altered in the event of a building becoming unavailable. This is now discouraged by Section 18B(4)(e) of the RPA 1983 which suggests that the polling place should be defined.
- 36. Many administrators decide not to define the polling place in case that building became unavailable in the run up to an election. However if a building became unavailable before an election and there is no time to conduct a review to choose a new polling place, the polling place can be changed by the authority immediately. This can be achieved by a simple declaration or notice that a polling place has been changed. Any change could be made by the proper officer<sup>10</sup> of the council by notice published at their office<sup>11</sup>. A review into the polling place should then be made when time allows.
- 37. A common complaint by electors is that their polling station has been moved and they find it more difficult to get to the new one. There should always be consideration as to whether a change in polling district or place will bring a benefit to the electors in that area.
- 38. Once a decision on the proposals is made two key factors must be addressed in the reasoning given for the change to or maintaining the status quo:
  - The reasonable requirements of the electors in the constituency
  - The accessibility for disabled persons to the probable polling stations within the polling place

<sup>&</sup>lt;sup>8</sup> RPA 1983 Section 18A (3)

<sup>&</sup>lt;sup>9</sup> RPA 1983 Section 18A. Defined by Local Governance (Scotland) Act 2004

<sup>&</sup>lt;sup>10</sup> Or other officer representing the authority

<sup>&</sup>lt;sup>11</sup> And / or such other method that the authority considered appropriate

## The consultation stage

- 39. The consultation stage is for representations and comments on the local authority proposals for polling districts and places. There are two parts to this:
  - A compulsory submission from the Returning Officer of the parliamentary constituency
  - Submissions from other persons and bodies. These can be referenced to the Returning Officer's proposed polling stations as well as the authority proposals
- 40. The Returning Officer's report is based on deciding on the probable polling stations due to the new authority proposals and analysing those polling stations. A useful basis for this report is the section above on deciding polling stations and the use of the appendix on the analysis of potential polling stations.
- 41. The authority must publish the Returning Officer's comments within 30 days of receipt<sup>12</sup>. The comments should be published in a conspicuous place at the council offices and in at least one place within each parliamentary constituency. It should also be published on the council website. The Commission suggests that the response could be copied and bound or joined into a booklet and made available in council offices, libraries, community centres or other places where residents may visit.
- 42. Many parliamentary constituencies cross local authority boundaries. While the local authority conducts and makes the final decision on the review the Returning Officer of the parliamentary constituency has the statutory requirement to comment on proposed polling stations within any proposed polling district. Both offices should work together to come to a satisfactory agreement if there is a difference of opinion.
- 43. The authority must consult widely on the review and seek out the views of interested groups or bodies including electors, candidates and agents, political parties and members of the council. Consultees should be asked for comment both in general and if appropriate about the particular buildings within the authority.
- 44. It will be particularly important to consult with those who have experience of assessing access for persons with different disabilities. These could include disability sections or occupational health departments within the council as appropriate, local disability groups and also for national groups such as charities who have guides on access. The authority should give consideration to the different types of disability which may make voting in person more difficult and consider the councils own policy on disabled access.
- 45. Each of these bodies have the right to comment on the recommendations proposed by the Returning Officer and should be asked to consider the implications of these (i.e. what other building could be used instead).

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<sup>&</sup>lt;sup>12</sup> The Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006. Regulation 3. This applies throughout England, Scotland and Wales

- 46. Any elector for a parliamentary constituency either within or partly within the local authority area may comment on any of the recommendations within the whole local authority area.
- 47. Any person or body which makes a comment has the right and indeed should be encouraged to suggest an alternative polling place / station and should be encouraged to give a reason for the alternative proposal so that it may be given appropriate consideration.

## Conclusion of review

- 48. The council must produce final proposals for the new polling districts and places. The final proposals must be made after taking into consideration all of the representations made.
- 49. The council must agree on the proposals for polling districts and places (depending on the council structure this may be a matter for full council and/or the executive). The meeting must minute the fact that the proposals were agreed.
- 50. Administrators may find it much more practical to have a concluded review before publication of the revised register. In order to arrange this the dates of the council meetings and the dates by which items for the agenda for such meetings must be made should be considered. The review officers should work closely with the lead officer in charge of the council meetings to ensure they know the deadline for the review to be completed and that the council will find time to include the review in the agenda.

## Publishing stage

- 51. Once the council has agreed on the proposals, the new polling districts and polling places must be made available to the public. These should also be made available at the council offices, in at least one place in each constituency and on the council's website. The reasons for the choice of every polling district and polling place must be given; these do not have to be too detailed but should show how accessibility issues were considered. Along with the reasons for the final decision of the review, the following must also be published:
  - (a) all correspondence sent to a Returning Officer in connection with the review
  - (b) all correspondence sent to any person whom the authority thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability
  - (c) all representations made by any person in connection with the review
  - (d) the minutes of any meeting held by the authority to consider any revision to the designation of polling districts or polling places within its area as a result of the review
  - (e) details of the designation of polling districts or polling places within its area as a result of the review

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- (f) details of the places where the results of the review have been published
- 52. The register must now be altered to show the changes in polling districts. If the change has been agreed before the publication of the revised register then the alteration can wait until that time. Otherwise alterations will be made by the publication of another revised register or on a notice of alteration. As implementation must occur in 2007, if the 1 December register is missed the change would have to be implemented by way of an additional revised register being published before 31 December 2007.

## Following the review

- 53. It is vital that electors are made aware of any changes made to the place they must attend to vote. The poll card for the next electoral cycle should indicate if their station has changed<sup>13</sup>. We would also recommend that, where authorities produce confirmation of registration notices in the spring that they also include details of any changes made to the polling places and stations to allow the elector to consider their method of voting.
- 54. An authority may wish to undertake their next full review earlier than the four year maximum period. This may make it more convenient in either ensuring districts and places are most appropriate before certain elections or for using any non-election year when there is more time to conduct a review.
- 55. The polling districts and places must be kept under review between major reviews. Changes to polling districts and polling places can be made at any time, and not just at the times for a full review (see your council constitution as to who may change polling places and / or districts). We suggest using some of the following techniques.
- 56. There should be continuous communication with operators of polling places to ascertain details of any refurbishments or other non accessibility issues. The dates for fixed-term elections are known well in advance and polling places should be booked well in advance (perhaps as soon as the previous election is over and any comments on the polling place are considered).
- 57. Surveys of polling places should be made by polling station inspectors and polling staff, in addition to the recording of any elector complaints. Results of these should be used to keep polling places under review after each electoral event. If it is identified as necessary, polling places should be changed.
- 58. Those areas which have had a review of either polling district or place between the four yearly reviews must also be part of the next major review.

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<sup>&</sup>lt;sup>13</sup> As electors may vote in one type of election but not others

## Appeals Process<sup>14</sup>

59. Following the conclusion of the local authority's review individuals have a right to make representations to the Electoral Commission. Representations to the Commission should be made within six weeks of the publication date of the finalised review. The Commission will only consider representations that the review process has not been conducted correctly (see paragraph 61 below). The Commission has deemed that six weeks is a reasonable time for this, however a reasoned explanation of circumstances for later representations will be considered.

Who is entitled to make a representation to the Commission?

60. The following may make representations to the Commission:

- An interested authority in England and Wales.
  - In England, the council of a parish
  - In England, if a parish does not have a council, the meeting of a parish<sup>15</sup>, or
  - in Wales, the council of a community<sup>16</sup>
- Not less than 30 electors in the constituency<sup>17</sup>
- An elector who has previously made a representation to the local authority and only after a local authority issues a determination regarding the representation
- A person who is not an elector in a constituency in the authority's area but who the Commission determines has a sufficient interest or expertise in relation to the accessibility of disabled persons to the polling places<sup>18</sup>

## Format for all representations:

- 61. All representations made to the Commission must be in writing either by post, e-mail or fax. The representation must be as specific as possible. The representation should clearly state the manner in which the local authority has failed to properly conduct a polling review. There are only two grounds on which a representation may state that a local authority has failed to conduct a proper review:
  - (a) The local authority has failed to meet the reasonable requirements of the electors in the constituency
  - (b) The local authority has failed to take sufficient account of accessibility to disabled persons of the polling stations within a polling place
- 62. Representations based on any other premise will not be considered.

<sup>&</sup>lt;sup>14</sup> Section 18D RPA 1983

<sup>&</sup>lt;sup>15</sup> which is wholly or partly situated within the constituency

which is wholly or partly situated within the constituency

Among these electors, none may be electors who have an anonymous entry in the register of parliamentary electors or local government electors. Part 1, Section 18D(7), RPA.
 Section 18D RPA 1983

- 63. The representation should include the location and any other relevant information regarding the polling place/station at issue, stating specifically why it is inaccessible or does not meet the reasonable requirements of the electors.
- 64. A representation may also include for consideration specific recommendations for alterations to the polling places.

## Decision making process of the Commission

- 65. Upon receipt of a representation, the Commission will request all relevant documentation from the local authority in relation to the polling review.
- 66. The Commission will show the local authority the representation.
- 67. The Returning Officer is entitled to make observations on the representation submitted to the Commission and should give a report on the probable polling stations which would be used should the representation be successful.
- 68. The documentation from the local authority, the observations of the Returning Officer and any other relevant information will be taken into consideration in conjunction with the representation.
- 69. The Commission may seek advice from persons with expertise on accessibility issues when making its decision.
- 70. Should the Commission's decision be to alter a polling district and the council would need to republish its electoral register to incorporate the new changes.
- 71. The Commission will set out in writing its conclusions and reasons for its decision. The Commission's decision will be issued to the person(s) who made the representation, the local authority and the Returning Officer. The decision and related documents will also be published on the Commission's website.
- 72. In accordance with the RPA 1983, the Commission may direct the local authority to consider alterations to the polling places as the Commission deems necessary under the review. 19 After two months, if the local authority has failed to make the alterations the Commission is empowered by the Act to make the alterations themselves as if the local authority had implemented them.

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<sup>&</sup>lt;sup>19</sup> Part 1, section 18D(4), RPA 1983

## 73. Please send any representations to:

Legal Counsel
The Electoral Commission
Trevelyan House
Great Peter Street
London SW1P 2HW

Tel: 020 7271 0500 Fax: 020 7271 0505

Email: appeals@electoralcommission.org.uk

## Resources

The Electoral Commission documents:

Equal access to electoral procedures.

www.electoralcommission.org.uk/files/dms/GoodPracticeequalaccess-finalversion 11561-9041 E N S W .pdf

Equal access to democracy.

www.electoralcommission.org.uk/files/dms/Access 9786-7962 E N S W .pdf

## Further reading and information

The Commission cannot be responsible for the content of these documents:

The review of polling places, polling districts and access arrangements from the AEA

www.aea-elections.co.uk/annualseminars/downloads/pp\_review\_access\_2007.pdf

Polls apart research by the disability rights group Scope

www.pollsapart.org.uk/

The Disability Rights Commission

www.drc-gb.org/

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This circular was approved by Kate Sullivan, Head of Electoral Administration.

Survey of polling station / place / district	
Polling place:	
Date of review:	
Reviewer name:	
Split / Box number if applicable:	

(As far as is practicable a polling place needs to meet all of these criteria)

## Location of building

- Is it located close to where most of the electors in the polling district live?
- Is it at the top or bottom of a steep hill?
- Does it have suitable access from a road?
- Is there a pavement, does it have a dropped kerb nearby?
- Are there convenient public transport links?

## Parking facilities

Are there adequate parking facilities close to the entrance of the building If not, is there anywhere close by that could be used for parking just on polling day? How far do electors have to walk from the car park to the polling station? Is there a designated disabled parking space or could one be provided?

## **Pathways**

Is the approach from the road and car parking a smooth non slip surface without steps, potholes, broken slabs?

Is the approach well lit?

### Entrance

Does the building have a level entrance?
Are there any steps to the entrance to the building?
Are the stairs highlighted?
Is there a handrail?
Is there a permanent ramp?
Could a temporary ramp be provided?
Is the door wide enough for a wheelchair user to gain access?
How heavy are the doors for a frail or elderly person to open?
Do the doors need to be propped open?

## Inside the building

Are there any internal steps or barriers to electors?
Are doormats level with the floor? If not, can they be removed?
Are there any other trip hazards?

Is there a suitable non-slip floor covering? Would it become slippery when wet? Are there ay corridors which may be difficult to negotiate for any electors using wheelchairs or those who find walking difficult?

Is there enough space in the room for staff, polling equipment plus a wheelchair? Is there adequate lighting? Test the lights yourself.

Interior floor plan
Show all internal areas including access ways, kitchen, toilets, etc. Also indicate: any areas of poor lighting; door swing direction; areas of uneven floor; etc. Photos:

## Circular EC28/2007

**External Plan** Show external layout, street names, car parking, ramps, steps, lighting, appropriate places for signage, etc.

Photos:

## Outside the polling place

# Is there level access into the building? If there are any steps into the building is there an alternative entrance? Could a temporary ramp be used? Mark on map Are any ramps appropriately designed; are they permanent or temporary? Gentle slope, handrails Are all stairs and ramps highlighted? Do all stairs have handrails? Is there designated parking for disabled voters? What parking is there for staff and other electors? Are the doors wide enough for wheelchair access? Can they safely/easily be kept open? Are doors light enough for frail / elderly electors to open? Is there good lighting outside the polling place? How much signage is required between the street and main entrance? Are there any obstacles between the street and the main entrance? Is there an alternative disabled route? What signage is required? Is it easy to find from the street?

Are there good public transport links to the polling place?

## Inside the polling place

Is there level access inside the building?
Are there any trip hazards? Is there a suitable non-slip surface?
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Are the internal corridors / rooms wheelchair accessible?
Is there enough room for the number and positioning of polling stations in this
building? Should other rooms be considered? How many polling stations could
the building hold?
Inside the polling station
Is the polling station well lit? Test the lighting yourself.
Mark on plan; also consider inside booths - is more light required?
Is there adequate space for official signage?
Are there induction loops fitted/available?
Are there toilets?
Is there a kitchen; what facilities are there?
is there a kitchen, what racinities are there:
Are there adequate tables/chairs of adult size?
Are there any security concerns?
Are there any security concerns:

## Extra information on polling districts

## Are there any obstacles crossing proposed polling districts?

For example: Main / busy roads; railway lines; rivers; other barriers

Are the splits going to enable a convenient polling station size? (No very small stations unless geographical need)

What are the comments / complaints from candidates / agents / parties?

What are the comments / complaints from polling staff?

What are the comments / complaints from electors (via surveys, letters, etc.)?

What are the comments / complaints from disability and other access groups?